

MELINDA HAAG (CABN 132612)  
United States Attorney

MIRANDA KANE (CABN 150630)  
Chief, Criminal Division

KEVIN J. BARRY (CABN 229748)  
Assistant United States Attorney

450 Golden Gate Ave., Box 36055  
San Francisco, California 94102  
Telephone: (415) 436-7200  
Fax: (415) 436-7234  
E-Mail: kevin.barry@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RONALD PELAEZ,  
  
Defendant.

No. CR 11-0154 MMC

**STIPULATION AND ~~[PROPOSED]~~  
ORDER CHANGING HEARING DATE  
AND EXCLUDING TIME**

The Court has set January 25, 2012, as the date for a change of plea in this matter for this defendant. Unlike his co-defendants, who plead guilty without a plea agreement, the defendant Ronald Pelaez and the government intend to enter into a plea agreement.

The parties have reached agreement in principal about the terms, but the government requires additional time to finalize the plea materials. Thus, the parties request that the date for the change of plea hearing be moved from January 25, 2012, to February 29, 2012, at 2:30 p.m. The government will lodge a copy of the agreement for the Court's review prior to the hearing.

The parties also request that the Court exclude the time from January 25, 2012, to February 29, 2012, from calculation of the time limits provided by 18 U.S.C. § 3161, on the

basis of effective preparation of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties agree that the ends of justice served by granting such an exclusion of time outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

SO STIPULATED:

MELINDA HAAG  
United States Attorney

DATED: January 25, 2012

/s/  
KEVIN J. BARRY  
Assistant United States Attorney

DATED: January 25, 2012

/s/  
JAMES PHILLIP VAUGHNS  
Attorney for RONALD PELAEZ

~~PROPOSED~~ ORDER

For the reasons stated above, the Court finds that moving the date for a change of plea for defendant Ronald Pelaez is warranted, and the January 25, 2012 change of plea hearing for this defendant is moved to February 29, 2012, at <sup>2:15</sup>~~2:30~~ p.m. The Court also finds that exclusion of the period from the date of this Order to February 22, 2012, from the time limits applicable under 18 U.S.C. § 3161 is warranted and that the failure to grant the requested exclusion of time would deny counsel for the defendant and for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would result in a miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: January 25, 2012

  
THE HONORABLE MAXINE M. CHESNEY  
United States District Judge